

# United States Patent and Trademark Office

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APPLICATION NO.	Fl	LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/811,426 03/26/2004		03/26/2004	Hideki Shioe	559502001200	2605	
25226	7590	02/09/2006		EXAM	EXAMINER	
		ERSTER LLP	NGUYEN,	NGUYEN, KHANH V		
755 PAGE M PALO ALTO		4304-1018		ART UNIT	PAPER NUMBER	
	,			2817	— <del></del>	
				DATE MAILED: 02/09/200	6	

Please find below and/or attached an Office communication concerning this application or proceeding.

1) Responsive to communication(s) filed on 22 November 2005. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims 4) Claim(s) 1.3-6 and 9-12 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 1.4.6.9 and 12 is/are allowed. 6) Claim(s) 3.5.10 and 11 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received in Application No 3.   Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  *See the attached detailed Office action for a list of the certified copies not received.			Applica	ition No.	Applicant(s)	Applicant(s)				
Ranh V. Nguyen   Z817	Office Action Summary			,426	SHIOE, HIDEKI	SHIOE, HIDEKI				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Extension of term way be availated under the provisors of 37 CFR 13(8), in no event, nower, may reply be timely filled.  If NO period for reply is produced above, the maintrum statutory period will apply and will expire SN (8) MONTHS from the nailing date of this communication.  Failurs to ingly which he set or extended period for reply is pataked, cashe the application to become ABANDONED (30 SL 0, § 133).  Any reply received by the Office later than the maintrum of the produced of this communication, even if simply filled, may reduce any certain any reply received by the Office later than the patienter.  Status    No   Responsive to communication(s) filled on   22 November   2005				ier	Art Unit					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  - Exercision of time may be available under the provisions of 37 CFR 1 1340), In no event, however, may a risely be timely filed.  - Exercision of time may be available under the provisions of 37 CFR 1 1340), In no event, however, may a risely be timely filed.  - If No period for reply is specified above, the maximum statutory period will apply and will expire X(8) MONTH'S from the mailing date of this communication.  - Falliva to reply within it is not or extended period for reply will, by a faulte, cause the application to become ARANDONED (39 U.S. C. § 1313). Any rapy, rounded by the Michael set and the formaling date of this communication, seven if timely field, may reduce any submaring part term adjustment. See 37 CFR 1 794(b).  - Status  1)  Responsive to communication(s) filled on 22 November 2005.  2a)  This action is FINAL.  2b)  This action is FINAL.  2b)  This action is FINAL.  2c)  This action is FINAL.  2c)  This action is FINAL.  2d)  This action is FINAL.  2d)  This action is 12 Analysis of the maintain of radiovance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s) 1.3-6 and 9-12 Islane pending in the application.  4a) Of the above claim(s)  islane villutoriawn from consideration.  5  Claim(s) 1.4.6.9 and 12 Islane allowed.  6)  Claim(s) 1.5.10 and 11 Islane rejected.  7)  Claim(s) 1.5.10 and 11 Islane rejected.  7)  Claim(s) 1.5.10 and 11 Islane rejected to by the Examiner.  Application Papers  9)  The specification is objected to by the Examiner.  10) The drawing(s) filed on islane islane islane is required if the drawing(s) to belied to See 37 CFR 1.82(a).  Replacement drawing sheet(s) inducting the correction is required if the drawing(s) to belied to See 37 CFR 1.121(d).  11) The oath or declaration is ob										
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Electroside of time may be available under the provision of 3° CFR 1.18(a). In nevent, however, may a reply be strely filed able SIX (6) MONTHS from the mailing date of this communication.  Failure to reply which his set of centraled period for reply will. by status, ease the application to become ABANDOFD (30 USC § 133). Any reply received by the Office later has three months after the mailing date of this communication. even if timely filed, may reduce any seamed patent than signatures. Set 7 CFR 1.79(b).  Status  1) Responsive to communication (s) filed on 22 November 2005.  2a) This action is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1,3-6 and 9-12 is/are pending in the application.  4) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) 1,4-6,9 and 11 is/are rejected.  7) Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  Application Papers  9) The specification is objected to by the Examiner.  Application Papers  9) The cath or declaration is objected to by the Examiner.  Application Papers  9) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All by Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All by Catheria Copies of the priority documents have been received.  2 Certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  *See the attached detailed Office action for a list of the certified copies not received.			nication appears on t	the cover sheet w	vith the correspondence ac	ddress				
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### **DETAILED ACTION**

## Claim Objections

Claims 1, 3, 5, 9 are objected to because of the following informalities:

Claim 1, lines 8-9, "predetermined voltage" should correctly be -- predetermined constant voltage --.

Claim 3, line 5, "based current control" should correctly be -- based current, controls --.

Claim 5, page 3, lines 1-2, "a second control circuit" should correctly be -- a second control current --.

Claim 9, "claim 2" should correctly be -- claim 1 --. Appropriate correction is required.

# Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3, 5, 10, 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 3, 5, 10, 11, by claiming the base current control section (comparator) comprises an amplifier which amplifies ..." is unclear and indefinite. Applicant's specification discloses the current mirror (Q9, Q10) operated as an amplifier, this is

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incorrect. "current mirror" associated with an output current in an operational/differential amplifier and does not amplify, it merely combines two currents generated a single output current.

## Allowable Subject Matter

Claims 3, 5, 10, 11 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Claims 1, 4, 6, 9, 12 are allowed.

Claims 1, 4, 6, 9, 12 call for, among others, the base current control section is a comparator with the inter-terminal voltage and the predetermined constant voltage as a differential input.

### Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh V. Nguyen whose telephone number is (571) 272-1767. The examiner can normally be reached from 8:00 AM - 3:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (571) 272-1769. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MARY EXAMINER

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